

Ordered to lie over under rules for one day.

SENATOR HARRISON

Sent up a communication relating to the distribution of the drouth fund, and on his motion it was laid on table to be considered with drouth relief bill.

(The President in the chair.)

By leave:

SENATOR ARMISTEAD

Sent up the following bill:

A bill to be entitled

"An act to validate the locations of surveys made by virtue of certificates issued under an act entitled 'an act granting to persons who have been permanently disabled by reason of wounds received while in the service of this State or of the Confederate States, a land certificate for 1280 acres of land, approved April 9, 1881.'"

Referred to Committee on Public Lands.

SENATOR TERRELL

Sent up the following special committee report:

AUSTIN, March 5, 1887.

Hon. T. B. Wheeler, President of the Senate and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:

Your Conference Committee heretofore appointed to consider the amendments of the House to Senate bill No. 5, relating to the descent and distribution of community property on the death of a spouse, beg leave to report that they have not agreed and they ask for a committee of free conference.

Respectfully submitted,

TERRELL,
MCDONALD,
BELL,
BROWNING,
HUDGINS,
MOORE.

Committee on the part of the Senate.

Committee on the part of the House.

The report was adopted and the President appointed Senators Terrell, McDonald and Bell on said free conference committee.

On motion of Senator Stinson,

The Senate adjourned till 10 o'clock to-morrow, by the following vote:

YEAS—16.

| | |
|----------------|-----------|
| Abercrombie, | Jarvis, |
| Allen, | McDonald, |
| Armistead, | MacManus, |
| Burges | Pope, |
| Camp, | Stinson, |
| Douglass of J, | Terrell, |
| Douglass of G, | Upshaw, |
| Garrison, | Woodward. |

NAYS—9.

| | |
|------------|-----------|
| Bell, | Gregg, |
| Burney, | Harrison, |
| Claiborne, | Lane, |
| Field, | Simkins. |
| Frank. | |

ABSENT—1.

Davis.

FORTY-NINTH DAY.

SENATE CHAMBER, }

AUSTIN, TEXAS, March 8, 1887. }

The Senate met pursuant to adjournment.

Senator Pope, President pro tem., in the chair.

Roll called.

Quorum present.

Prayer by the Chaplain, Dr. Smoot.

On motion of Senator Woodward,

The reading of the Journal of yesterday was dispensed with.

On motion of Senator McDonald,

Senator Davis was excused from attendance yesterday on account of sickness.

On motion of Senator Jarvis,

Senator Upshaw was excused for four days on account of sickness.

On motion of Senator McDonald,

Senator Gregg was excused indefinitely, on account of sickness.

REPORTS OF STANDING COMMITTEES.

BY SENATOR HARRISON:

COMMITTEE ROOM, }

AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Land Claims, to whom was referred Senate bill No. 323 entitled

"An act for the relief of J. C. Patton," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass, with the following amendment:

Add to section 1 the following:

"Provided that if no unappropriated public domain is found upon which to locate said certificate, then and in that event, the State is released from any further liability or obligation by reason of the issuance of the same,"

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Private Lands Claims, to whom was referred House bill No. 219, entitled:

"An act to validate the purchase by Pierce Johnston from the State of Texas of certain school sections of land lying in La Salle county, have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it be considered in connection with Senate Bill No.—, on the same subject which has been reported favorably from this Committee.

All of which is respectfully submitted.

HARRISON, chairman.

Bill read first time.

BY SENATOR GREGG:

COMMITTEE ROOM. }
AUSTIN, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Internal Improvements, to whom was referred substitute House bills Nos. 14 and 37, entitled:

"An act to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariff on the different railroads in this State; to prevent pooling; to establish reasonable maximum rates of charges for the transportation of passengers and freight on said railroads; to prohibit railroad companies, corporations and lessees in this State from charging other than just and reasonable rates, and to provide adequate penalties for the enforcement of the same, and prescribe a mode of procedure and rules of evidence in relation thereto; and also to create a board of railway commissioners and to prescribe their powers and duties in relation to the same," have had the same under consideration, and instruct me to

report it back to the Senate with the recommendation that it be considered in connection with substitute Senate bill No. 22, referring to the same subject matter.

All of which is respectfully submitted.

GREGG, chairman.

Bill read first time.

BY SENATOR LANE:

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Insurance, Statistics and History, to whom was referred Senate bill No. 218 entitled:

"An act to amend section 4543, title 92, of the Revised Civil Statutes of the State of Texas," have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

The bill requires the Commissioner of Insurance, Statistics and History to report upon the condition of labor in addition to the matters on which he is already required to report.

All of which is respectfully submitted.

LANE, chairman.

Bill read first time.

BILLS AND RESOLUTIONS.

BY SENATOR DOUGLASS OF GRANTSON:

A bill to be entitled:

"An act to amend Article 1420, chapter 20, title 29, of the Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee No. 1.

The bill provides that each party to civil suits shall be responsible for costs incurred by himself; and officers shall not be compelled to execute any process in civil suits coming from another county, unless the cost for such service be paid in advance, or if brought by pauper, the clerk issuing such process shall endorse thereon, the words, "pauper oath filed," and sign officially, then the writ shall be served as any other.

BY SENATOR ABERCROMBIE:

By request.

A bill to be entitled,

"An act to amend Article 2212, chapter 1, title 38, of Revised Civil Statutes of the State of Texas."

Referred to Judiciary Committee
No. 1.

BY SENATOR HARRISON:

By request:

A bill to be entitled

"An act for the relief of J. D. Mil-
ton, J. M. Sedberry and L. B. Wells."

Referred to Committee on Finance.

BY SENATOR KNITTLE:

A bill to be entitled:

"An act to make it penal to fraud-
ulently dispose of any property upon
which there is a landlord's lien."

Referred to Judiciary Committee
No. 2.

On motion of Senator Abercrombie,
Senate bill No. 174

"An act to amend section 1 of an act
to be entitled 'an act prescribing and
fixing the venue of suits against for-
eign corporations, joint stock compa-
nies or associations or acting corpora-
tions or associations, doing business
within this State and provide the mode
of serving process on such corporations
or associations,' approved March 31,
1885," was taken up out of its regular
order and read second time with fa-
vorable committee report.

SENATOR ABERCROMBIE

Spoke in favor of the bill and offered
the following amendment:

"Section 2. Whereas the near ap-
proach of the close of the session of the
Legislature creates an emergency and
an imperative public necessity for the
suspension of the constitutional rule
requiring bills to be read on three sev-
eral days, therefore said rule is hereby
suspended and this act shall take
effect and be in force from and after
its passage, and it is so enacted."

Adopted,

And the bill was passed to engross-
ment.

On motion of Senator Bell,

The constitutional rule was sus-
pended and the bill was placed on its
third reading and final passage by the
following vote:

YEAS—26.

| | |
|--------------|----------------|
| Abercrombie, | Calhoun, |
| Allen, | Camp, |
| Armistead, | Claiborne, |
| Bell, | Davis, |
| Burges, | Douglass of J, |
| Burney, | Douglass of G, |

Field,
Frank,
Garrison,
Harrison,
Jarvis,
Knittle,
Lane,

McDonald,
MacManus,
Pope,
Simkins,
Stinson,
Terrell,
Woodward.

NAYS—none.

ABSENT—1.

Houston.

The bill was read third time and
passed by the following vote.

YEAS—26.

| | |
|----------------|-----------|
| Abercrombie, | Frank, |
| Allen, | Garrison, |
| Armistead, | Harrison, |
| Bell, | Jarvis, |
| Burges, | Knittle, |
| Burney, | Lane, |
| Calhoun, | McDonald, |
| Camp, | MacManus, |
| Claiborne, | Pope, |
| Davis, | Simkins, |
| Douglass of J, | Stinson, |
| Douglass of G, | Terrell, |
| Field, | Woodward. |

NAYS—None.

ABSENT—1.

Houston.

On motion of Senator Claiborne,
The regular order of business was
suspended and

Senate bill No. 170,

"An act to amend Article 3641, chap-
ter 1, title 74, of the Revised Civil
Statutes of the State of Texas," was
taken up by the following vote:

YEAS—23.

| | |
|----------------|-----------|
| Abercrombie, | Garrison, |
| Allen, | Jarvis, |
| Bell, | Knittle, |
| Burges, | Lane, |
| Burney, | McDonald, |
| Calhoun, | MacManus, |
| Camp, | Pope, |
| Claiborne, | Simkins, |
| Douglass of J, | Stinson, |
| Douglass of G, | Terrell, |
| Field, | Woodward. |
| Frank, | |

NAYS—1.

Harrison,

ABSENT—3.

Armistead, Houston.

Davis,

The bill was read third time and
passed.

On motion of Senator MacManus,
Senate bill No. 71.

"An act to protect stockraisers; providing for the destruction of wolves, etc.," was taken up out of its regular order, and read second time with favorable report.

SENATOR MACMANUS

Moved to

Amend by adding to section 2, the following:

"Provided, That one affidavit shall be sufficient to cover any number of animals of the same or of different classes, brought in by one person at the same time."

SENATOR MACMANUS

Explained the amendment and it was adopted.

The bill was ordered engrossed by the following vote:

YEAS—16.

| | |
|----------------|-----------|
| Armistead, | Field, |
| Bell, | Frank, |
| Burges, | Jarvis, |
| Burney, | Knittle, |
| Calhoun, | Lane, |
| Claiborne, | MacManus, |
| Davis, | Pope, |
| Douglass of G, | Woodward. |

NAYS—10.

| | |
|----------------|-----------|
| Abercrombie, | Harrison, |
| Allen, | McDonald, |
| Camp, | Simkins, |
| Douglass of J, | Stinson, |
| Garrison, | Terrell. |

ABSENT—1.

Houston.

SENATOR BELL:

Called up the motion entered to reconsider the vote by which Senate bill No. 24, was passed.

SENATOR BURGESS:

Spoke in favor of the motion to reconsider, and Senator Bell opposed reconsideration.

On motion of Senator Bell:

The motion to reconsider was laid on the table by the following vote.

YEAS—13.

| | |
|--------------|----------------|
| Abercrombie, | Davis, |
| Armistead, | Douglass of J, |
| Calhoun, | Frank, |
| Camp, | Garrison, |

Harrison,
McDonald,
Stinson,

Terrell,
Woodward.

NAYS—11.

| | |
|----------------|-----------|
| Allen, | Knittle, |
| Burges, | Lane, |
| Burney, | MacManus, |
| Claiborne, | Pope, |
| Douglass of G, | Simkins. |
| Jarvis, | |

Senator Bell announced a pair with Senator Houston; the former would have voted yea, the latter nay.

Senator Field announced a pair with Senator Glascock; the former would have voted nay, the latter yea.

By leave,

SENATOR JARVIS

Sent up the following committee reports:

COMMITTEE ROOM. }

AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate, and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:

Your committee on free conference on the difference between the two houses on substitute House bill No. 295, have carefully considered the same and beg leave to recommend as follows:

First Senate amendment, we recommend that the Senate recede.

Second, third, fourth, fifth, sixth, seventh and eighth Senate amendments, we recommend that the House concur.

The committee recommend the following amendments:

Amend by inserting after the figures \$821.50 the following:

To pay Dawson & Boyd for unconsumed liquor license by reason of local option, \$197.14.

To pay S. B. Watts for unconsumed liquor license by reason of local option, \$126.66.

To pay G. B. Maloney for unconsumed liquor license by reason of local option, \$177.46.

To pay claims yet to be filed for unconsumed liquor licenses by reason of local option, \$500.

All of which is respectfully submitted.

JARVIS,
FRANK,
GARRISON,
For the Senate.
MILLS,
GRESHAM,
BELL,
For the House.

On motion of Senator Frank,
The report of the committee was
adopted.

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }
Hon. T. B. Wheeler, President of the
Senate:

Sir—Your Committee on Finance, to
whom was referred House bill No. 52
entitled,

"An act to amend title 95, of the
Revised Statutes by adding thereto
Article 4710a, 4710b, 4712a, 4748a, 4763a
4765a and by amending Articles 4740,
4744, 4746, 4747, 4748 and 4761, so as to
provide for a more thorough and effi-
cient assessment of property and the
collection of taxes thereon have had
the same under consideration and in-
struct me to report it back to the
Senate with the recommendation that
it do not pass."

All of which is respectfully submit-
ted.

JARVIS, chairman.

Bill read first time.

On motion of Senator Terrell,
Senate bill No. 289,

"An act to amend Articles 1652 of
Revised Civil Statutes, relating to de-
scent and distribution of estates," was
taken up out of its regular order and
read second time with favorable com-
mittee report.

SENATOR TERRELL

Explained the bill and it was ordered
engrossed.

(Senator Garrison in the chair)

On motion of Senator McDonald,
Senate bill No. 239,

"An act to amend Article 2899 of the
Revised Civil Statutes of the State of
Texas, in relation to the recovery of
damages for injuries resulting in
death," was taken up out of its regular
order, read second time and ordered
engrossed.

On motion of Senator Bell,
Senate bill No. 238.

"An act to authorize commissioners'
courts to purchase dogs for the pur-
pose of aiding in the arrest of crimi-
nals," was taken up, read second time
and was ordered engrossed by the fol-
lowing vote:

YEAS—18.

| | |
|------------|----------------|
| Allen, | Claiborne, |
| Armistead, | Davis, |
| Bell, | Douglass of G, |
| Calhoun, | Field, |
| Camp, | Frank, |

Garrison,
Harrison,
Knittle,
McDonald,

MacManus,
Pope,
Simkins,
Terrell.

NAYS—8.

| | |
|----------------|-----------|
| Abercrombie. | Jarvis, |
| Burges, | Lane, |
| Burney, | Stinson, |
| Douglass of J, | Woodward. |

ABSENT—1.

Houston.

On motion of Senator Lane,
Senate bill No. 199.

"An act to repeal Article 190, title 3,
chapter 8, of the Code of Criminal
Procedure of the State of Texas," was
taken up out of its regular order, read
second time and was ordered engrossed.

On motion of Senator Lane,
Senator Houston was excused for the
day.

On motion of Senator Field,
Senate bill No. 140.

"An act to legalize and validate the
ordinances of cities and towns incorpo-
rated under the provisions of title 17
of the Revised Civil Statutes of the
State of Texas, whereby any ordinance
imposing a penalty, fine, imprisonment
or forfeiture, for violation of its pro-
visions, has not been published in the
official paper for ten days as required
by law," was taken up, read third
time and passed by the following vote:

YEAS—26.

| | |
|----------------|-----------|
| Abercrombie, | Frank, |
| Allen, | Garrison, |
| Armistead, | Harrison, |
| Bell, | Jarvis, |
| Burges, | Knittle |
| Burney, | Lane, |
| Calhoun, | McDonald, |
| Camp, | MacManus, |
| Claiborne, | Pope, |
| Davis, | Simkins, |
| Douglass of J, | Stinson, |
| Douglass of G, | Terrell, |
| Field, | Woodard. |

NAYS—none.

On motion of Senator Simkins,
Senate bill No. 182,

"An act to create and maintain the
office of State Geologist, and to define
the duties and prescribe the salary
thereof" was taken up out of its regu-
lar order and read second time with
committee amendments,

On motion of Senator Harrison,

The first committee amendment was adopted.

On motion of Senator Harrison.

The second committee amendment was adopted.

SENATOR BURNEY

Moved to amend the third committee amendment as follows:

Amend section 9, committee amendments, line 1, page 4: Strike out the second word "not" and "imprison," and insert therefore, "imprisonment for not."

Adopted.

On motion of Senator Bell,

The third committee amendment as amended was adopted.

SENATOR BURGESS

Moved to amend fourth committee amendment as follows:

Amend section 10, by striking out "25,000," and insert \$10,000."

SENATOR CLAIBORNE

Moved to strike out "twenty-five thousand" and insert in lieu thereof "fifteen thousand."

SENATORS HARRISON, BELL, BURNEY
AND SIMKINS

Opposed the amendment.

On motion of Senator Armistead.

The amendments were tabled by the following vote:

YEAS—16.

| | |
|--------------|----------------|
| Abercrombie, | Douglass of J, |
| Allen, | Harrison, |
| Armistead, | Knittle, |
| Bell, | McDonald, |
| Burney, | MacManus, |
| Calhoun, | Simkins, |
| Camp, | Terrell, |
| Davis, | Woodward. |

NAYS—10.

| | |
|----------------|-----------|
| Burgess, | Garrison, |
| Claiborne, | Jarvis, |
| Douglass of G, | Lane, |
| Field, | Pope, |
| Frank, | Stinson. |

SENATOR WOODWARD

Moved to amend by striking out "twenty five" and inserting in lieu thereof "twenty."

Adopted by the following vote.

YEAS—25.

| | |
|----------------|-----------|
| Abercrombie, | Frank, |
| Allen, | Garrison, |
| Armistead, | Harrison, |
| Bell, | Jarvis, |
| Burgess, | Knittle, |
| Burney, | Lane, |
| Calhoun, | McDonald, |
| Camp, | MacManus, |
| Claiborne, | Simkins, |
| Davis, | Stinson, |
| Douglass of J, | Terrell, |
| Douglass of G, | Woodward. |
| Field, | |

NAYS—1.

Pope.

SENATOR ABERCROMBIE

Moved to amend section 2, line 3, by striking out the word "geology" and insert in lieu thereof the word "geologic."

Adopted.

SENATOR ABERCROMBIE

Moved to amend section 3, line 4, by striking out the words "discoveries. The" and insert in lieu thereof the words "discover the."

Adopted.

As amended the bill was ordered engrossed.

(Senator Pope, President pro tem., in the chair).

On motion of Senator Lane,

Senate bill No. 42,

"An act to amend Article 683, and chapter 3, title 17, of the Penal Code of the State of Texas, by adding thereto Article 683a," was taken up and read second time with committee substitute.

On motion of Senator Burney,
The committee substitute was adopted.

SENATOR FRANK

Moved to amend line 6, Article 683 by striking out the word "disturb" and insert the words "or destroy."

Adopted.

SENATOR ALLEN

Moved to strike out "one thousand," in line 10, section 1, and substitute "five hundred."

SENATOR ALLEN

Favored, and

SENATOR BELL

Opposed the amendment.

SENATOR CAMP

Moved to substitute the amendment by striking out "500" and insert "200."

SENATOR FIELD

Opposed the substitute.

The substitute was adopted and the bill was ordered engrossed.

The following message was received from the House.

HOUSE OF REPRESENTATIVES, }
Austin, March 7, 1887. }
Hon. T. B. Wheeler, President of the Senate:

Sir—I am instructed by the House to inform the Senate that the House has adopted the report of the free conference committee on substitute House bill No. 295, known as the deficiency appropriation bill.

Also,

That the House has passed

House bill No. 311.

"An act to define pooling by railway corporations and their officers, to prohibit the same, and to provide a penalty therefor."

Also,

House bill No. 438.

"An act to amend Article 4249 of the Revised Statutes of the State of Texas."

WILL LAMBERT,
Chief Clerk House of Representatives.

THE PRESIDENT PRO TEM.

Referred House bill No. 311 and House bill No. 438 to Committee on Internal Improvements.

SENATOR HARRISON,

By leave, sent up the following special committee report:

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }
Hon. T. B. Wheeler, President of the Senate, and Hon. Geo. C. Pendleton, Speaker of the House of Representatives:

Sir—Your Committee on free conference to who was referred Senate bill No 4, entitled.

"An act to amend Article 3200 of the Revised Civil Statutes of the State of Texas, to settle the difference between the Senate and House on House amendment to strike out "alley" and insert at end of section the following. Provided this act shall not apply to any alley laid out across any block or

square in any city or town, have considered the same and instruct me to report back the Senate with recommendation that the same recede from its objections and that House amendment be adopted.

All of which is respectfully submitted.

GRESHAM,
GROCE,
PRENDERGAST,
For the House.
HARRISON,
DOUGLAS, of G.
DOUGLAS, of J.
For the Senate.

On motion of Senator Harrison,
The report of the committee was adopted.

On motion of Senator Douglass of Jefferson,

Senate bill No. 149.

"An act to diminish the civil and criminal jurisdiction of the county court of Orange county," was taken up and read second time, with committee amendment.

The committee amendment was adopted.

SENATOR CALHOUN

Moved to add after the word "Orange," wherever it occurs, the following: "and Concho;" and change the word "county," wherever it occurs, and insert the word "counties," wherever it occurs.

Adopted,

And the bill was passed to engrossment.

On motion of Senator Douglass of Jefferson,

The constitutional rule was suspended, and the bill was placed on its third reading by the following vote:

YEAS—26.

| | |
|-----------------|-----------|
| Abercrombie, | Frank, |
| Allen, | Garrison, |
| Armistead, | Harrison, |
| Bell, | Jarvis, |
| Burges, | Knittle, |
| Burney, | Lane, |
| Calhoun, | McDonald, |
| Camp, | MacManus, |
| Claiborne, | Pope, |
| Davis, | Simkins, |
| Douglass of J., | Stinson, |
| Douglass of G, | Terrell, |
| Field, | Woodward. |

NAYS—none.

The bill was read third time and passed by the following vote:

YEAS—26.

| | |
|----------------|-----------|
| Abercrombie, | Frank, |
| Allen, | Garrison, |
| Armistead, | Harrison, |
| Bell, | Jarvis, |
| Burges, | Knittle, |
| Burney, | Lane, |
| Calhoun, | McDonald, |
| Camp, | MacManus, |
| Claiborne, | Pope, |
| Davis, | Sinkins, |
| Douglass of J, | Stinson, |
| Douglass of G, | Terrell, |
| Field, | Woodward. |

NAYS—none.

SENATOR HARRISON

Called up as unfinished business,
Senate bill No. 251.

"An act to require occupation tax receipts to be posted by persons, firms and corporations upon whom an occupation tax is levied, in their places of business and to punish violations of the same," with the substitute (for an amendment) by Senator Terrell pending.

The substitute for the amendment was adopted, as a substitute and as a part of the bill.

SENATOR HARRISON

Moved to amend section 2, line 3, by adding after the word "and" "upon conviction shall be."

Adopted.

SENATOR STINSON

Moved to strike out "day," in second line from last of section 2, and insert "twenty days."

SENATORS LANE AND STINSON

Favored the amendment, and

SENATORS TERRELL AND HARRISON

Opposed the amendment, and it was lost.

SENATOR HARRISON

Moved to amend by adding to bill section 4.

"Section 4. Whereas, there is no law for the enforcement of the collection of occupation tax; and, whereas, the near approach of the close of this session renders it impracticable to read this bill on three several days, creates an imperative public necessity that the constitutional rule requiring bills to be read on three several days be

suspended, and it is so suspended, and this bill be placed on its third reading and final passage."

Adopted,

And the bill passed to engrossment.

On motion of Senator Harrison,

The constitutional rule was suspended, and the bill was placed on its third reading and final passage by the following vote:

YEAS—24.

| | |
|----------------|-----------|
| Abercrombie, | Field, |
| Allen, | Frank, |
| Armistead, | Garrison, |
| Bell, | Harrison, |
| Burges, | Jarvis, |
| Burney, | Knittle, |
| Calhoun, | McDonald, |
| Camp, | MacManus, |
| Claiborne, | Pope, |
| Davis, | Sinkins, |
| Douglass of J, | Terrell, |
| Douglass of G, | Woodward. |

NAYS—2.

Lane,

Stinson.

The bill was read third time and passed.

SENATOR JARVIS

By leave,

Sent up two bills, to-wit:

A bill to be entitled:

"An act to amend 'an act, etc., to amend section 16, etc., of an act to re-district the State into judicial districts, and fix the times for holding court therein, and to provide for the election of judges and district attorneys etc., etc.'"

Referred to Committee on Judicial Districts.

And

A bill to be entitled:

"An act to amend, etc., an act to re-district the State into judicial districts, and to fix times for holding courts, etc., etc."

Referred to Committee on Judicial Districts.

SENATOR FIELD

Sent up the following privileged reports:

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 40, being,

"An act to amend chapter 18 of the

Revised Civil Statutes by adding thereto Article 1379a, as to filing statement of facts in cases on appeal," and find the same correctly enrolled, and have this day, at 10:25 o'clock, a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 16, being

"An act to amend Article 549, chapter 10, title 15, of the Penal Code of the State of Texas," and find the same correctly enrolled, and have this day, at 10:25 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 73, being

"An act to amend Article 678, chapter 3, title 17, of the Penal Code of the State of Texas," and find the same correctly enrolled, and have this day, at 10:25 o'clock a. m., presented same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 14, being

"An act to define and punish the conversion of personal property by hirers, borrowers and other bailees," and find the same correctly enrolled, and have this day, at 10:25 o'clock a. m., presented the same to the Governor for his signature.

FIELD, chairman.

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 15, being

"An act to make it penal to use lan-

guage or be guilty of conduct reasonably calculated to provoke a breach of the peace and to prescribe the punishment therefore, and find the same correctly enrolled, and have this day, at 10:25 o'clock a. m., presented the same to the Governor for his signature."

FIELD, chairman.

COMMITTEE ROOM, }
AUSTIN, March 8, 1887. }

Hon. T. B. Wheeler, President of the Senate:

Sir—Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 51, being

"An act to make it penal to prevent, or attempt to prevent, any person from engaging or remaining in, or performing the duties of any lawful employment, and to fix a penalty therefor," and find the same correctly enrolled, and have this day, at 10:25 o'clock, a. m., presented the same to the Governor for his signature.

FIELD, chairman.

By leave,

SENATOR BURGESS

Sent up petition of citizens of Guadalupe county, asking that manufacturies be exempted from taxation.

Referred to Committee on Constitutional Amendments.

BY SENATOR BELL,

By leave:

Protest of citizens of Bell county, against the high license bill.

Referred to Committee on Finance.

On motion of Senator Stinson,

The Senate adjourned till 3 o'clock p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Senator Pope, president pro tem, in the chair.

Roll called.

Quorum present.

House bill No. 31.

"An act to require railroads to pay their employes promptly, and prescribing a penalty for failure to so pay them," was laid before the Senate, read third time and passed.

Substitute House bill No. 32.

"An act to provide for the charging of the estate of a deceased person by virtue of the joint obligation of such deceased person with another," was taken up, read third time and was passed.

House bill No. 74.

"An act to amend Article 425 of the Penal Code of the State of Texas" was laid before the Senate, read second time and passed to third reading.

Substitute House bill, Nos. 43 and 4b.

"An act to amend chapter 2, Article 566 of the Revised Civil Statutes, as amended by an act of the Nineteenth Legislature, approved March 27, 1885," was laid before the Senate and read second time with committee amendments.

The committee amendments were called for severally.

The first committee amendment was adopted.

The second committee amendment was adopted.

Senators Claiborne, Terrell and Macmanus,

Spoke in opposition to the third committee amendment

And

SENATOR BURNEY

Offered the following substitute for the amendment.

Amend by striking out of division 15, the words, "the sale of goods, wares and merchandise of" in the line 22, page 2.

SENATORS STINSON AND M'DONALD

Opposed the substitute and favored the amendment.

SENATORS TERRELL AND MACMANUS

Opposed both the substitute and amendment.

SENATOR LANE

Moved to amend the substitute as follows:

Amend by striking out all after the word "merchandise," and insert the words "manufactured by such business."

SENATOR LANE

Spoke in favor of his amendment.

SENATOR CLAIBORNE

Moved to table the amendment to the substitute, the substitute and the committee amendment.

The amendment to the substitute was tabled.

The substitute was tabled.

The committee amendment was tabled by the following vote:

YEAS—15.

| | |
|----------------|-----------|
| Allen, | Garrison, |
| Bell, | Jarvis, |
| Burges, | Knittle, |
| Burney, | MacManus, |
| Calhoun, | Pope, |
| Claiborne, | Terrell, |
| Douglass of J, | Woodward. |
| Frank, | |

NAYS—11.

| | |
|----------------|-----------|
| Abercrombie, | Harrison, |
| Armistead, | Lane, |
| Camp, | McDonald, |
| Davis, | Simkins, |
| Douglass of G, | Stinson. |
| Field, | |

(Senator Allen in the chair.)

On motion of Senator Bell,

Senator Pope was excused for the day on account of sickness.

The fourth, fifth, sixth and seventh committee amendments were adopted.

SENATOR TERRELL

Moved to amend eighth committee amendment as follows:

"Amend by striking out all after the word "fish" in the eighth committee amendment."

SENATORS TERRELL, BURNEY AND LANE

Favored the amendment, and it was Adopted.

The eighth committee amendment as amended was adopted.

SENATOR HARRISON

Moved to amend by adding section 32.

"Section 32. For the purchase, subdivisions and sale of land, or the erection of buildings thereon, in cities, towns and villages."

SENATORS HARRISON AND TERRELL

Favored the amendment, and it was Adopted,

SENATOR CAMP

Moved to

"Strike out subdivision 28."

SENATORS CAMP AND M'DONALD

Favored the amendment, and

SENATOR TERRELL

Opposed it.

The amendment was lost by the following vote:

YEAS—10.

| | |
|----------------|-----------|
| Abercrombie, | Frank, |
| Armistead, | Harrison, |
| Burges, | McDonald, |
| Camp, | MacManus. |
| Douglass of J. | Stinson. |

NAYS—15

| | |
|----------------|-----------|
| Allen, | Garrison, |
| Bell, | Jarvis, |
| Burney, | Knittle, |
| Calhoun, | Lane. |
| Claiborne, | Simkins, |
| Davis, | Terrell. |
| Douglass of G, | Woodward. |
| Field, | |

The bill as amended was passed to third reading.

SENATOR BURGESS

Moved to adjourn till 10 o'clock to-morrow morning.

Lost.

House bill No. 25.

"An act to provide for a more speedy count of the vote at special and general elections, and to pay the judges and clerks for the same," was laid before the Senate and read second time with favorable report.

SENATOR BELL

Moved to amend section 1, line 3, by striking out the word "one" and insert in lieu thereof "two."

SENATORS BELL AND HARRISON

Favored the amendment and it was adopted.

SENATOR LANE

Moved to amend by adding section 5, which shall read as follows:

"Whenever any presiding judge shall summons any citizen to act either as judge or clerk of any election under this bill, and such person shall fail or refuse to serve unless excused by such judge he shall be deemed guilty of an offense, and upon conviction shall be fined not less than \$10 nor more than \$25."

Lost.

The bill, as amended, was passed to third reading.

On motion of Senator Lane.

The Senate adjourned till 10 o'clock to-morrow morning by the following vote:

YEAS—16.

| | |
|----------------|-----------|
| Abercrombie, | Garrison, |
| Allen, | Harrison, |
| Armistead, | Jarvis, |
| Bell, | Knittle, |
| Calhoun, | Lane, |
| Camp, | Stinson, |
| Davis, | Terrell, |
| Douglass of G, | Woodward. |

NAYS—9.

| | |
|----------------|-----------|
| Burges, | Frank, |
| Burney, | McDonald, |
| Claiborne, | MacManus, |
| Douglass of J, | Simkins. |
| Field, | |

FIFTIETH DAY.

SENATE CHAMBER. }
AUSTIN, March 9, 1887. }

The Senate met pursuant to adjournment.

The President and President pro tem. being absent,

SECRETARY RAMEY

Occupied the chair.

Roll called.

Quorum present.

Prayer by the Chaplain Dr. Smoot.

THE SECRETARY

Announced the first thing in order to be the election of a President pro tem.

SENATOR CALHOUN

Raised the point of order that as Senator Allen was in the chair on adjournment yesterday, he should now occupy the chair.

The point of order was not sustained, the rule prescribing that when a Senator is called to the chair, he is to occupy it only until an adjournment.

On motion of Senator Bell,

The Senate proceeded to ballot for President pro tem.

SENATOR FRANK

Nominated Senator Garrison for President pro tem.